

FINAL BILL REPORT

SSB 5839

C 118 L 07
Synopsis as Enacted

Brief Description: Revising provisions relating to false reporting of child abuse or neglect.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Benton, Stevens and Hargrove).

Senate Committee on Human Services & Corrections
House Committee on Early Learning & Children's Services

Background: The Department of Social and Health Services (DSHS) administers Washington's Child Protective Services (CPS). CPS receives referrals from members of the public who suspect that a child is a victim of abuse or neglect. CPS provides services which include 24-hour intake, assessment, emergency intervention, and emergency medical services for accepted referrals.

The concept of mandatory reporting was first enacted in 1971 and required certain persons to report suspected child abuse and neglect. Initially, medical professionals, teachers, social workers, clergy, pharmacists, and DSHS employees were designated as mandatory reporters. Since then, the group of mandatory reporters has been expanded several times. In response to the U.S. Child Abuse Prevention and Treatment Act of 1974, nearly every state established or expanded mandatory reporting. The Washington State Legislature added a category of permissive reporting in the 1975 Legislative Session.

Under current law, mandatory reporters include any practitioner, county coroner, medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, licensed or certified child care provider or their employees, employee of the DSHS, juvenile probation officer, placement and liaison specialist, Responsible Living Skills program staff, HOPE center staff, or State Family and Children's Ombudsman or any volunteer in the Ombudsman's office.

Any other person, who has reasonable cause to believe that a child has suffered abuse and neglect, may report the abuse or neglect to CPS or to law enforcement. Reports may be oral or written. Oral reports must be followed up in writing if the investigator requests a written report.

Summary: The term "malicious" is eliminated from the false reporting statute. CPS is required to include a warning statement in any materials relating to the reporting of abuse or neglect. CPS is required to send a certified letter to individuals determined to have made a false report warning that a subsequent false report will be referred to law enforcement for investigation.

Votes on Final Passage:

Senate 49 0

House 96 0

Effective: July 22, 2007